

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

MELANIE ROCKWOOD,  
Plaintiff,

Civ. No. 03-1519-CO

ORDER

v.

JOANNE B. BARNHART,  
Commissioner, Social Security  
Administration,

Defendant.

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AIKEN, Judge:

On January 26, 2005, Magistrate Judge Cooney filed his Findings and Recommendation, finding that the Commissioner's decision to deny disability benefits was supported by substantial evidence in the record and recommending that the Commissioner's decision be affirmed. The matter is now before me. See 28 U.S.C. § 636(b)(1)(B) and Fed. R. Civ. P. 72(b).

When either party objects to any portion of a magistrate judge's Findings and Recommendation, the district court must make a de novo determination of that portion of the magistrate judge's report. See 28 U.S.C. § 636(b)(1); McDonnell Douglas Corp. v. Commodore Business Machines, Inc., 656 F.2d 1309, 1313 (9th Cir. 1981). Plaintiff filed timely objections to the Findings and Recommendation. I have, therefore, given de novo review of Magistrate Judge Cooney's rulings. I find no error.

Plaintiff objects to the finding that the Administrative Law Judge (ALJ) did not err in rejecting plaintiff's testimony and the opinion of medical providers. I agree that the ALJ provided clear and convincing reasons for discrediting plaintiff's testimony as inconsistent with the level of plaintiff's daily activities and other evidence of record. The same reasons support the ALJ's assessment of medical evidence.

Accordingly, IT IS HEREBY ORDERED that Magistrate Judge Cooney's Findings and Recommendation (doc. 20) filed January 26, 2005 is ADOPTED, the decision of the Commissioner is AFFIRMED, and this case is DISMISSED.

IT IS SO ORDERED.

Dated this 6 day of May, 2005.

/s/ Ann Aiken  
Ann Aiken  
United States District Judge